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NO. 2104 P. 1
PATENT APPLICATION

JUL 11 2006 ATTORNEY DOCKET NO. 200308303-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): DANIEL J SCALES

Confirmation No.: 8427

Application No.: 09/757764

Examiner: YIGDALL, Michael

Filing Date: 1

Group Art Unit: 2192

Title: SYSTEM AND METHOD FOR OPTIMIZING OPERATIONS VIA DATAFLOW ANALYSIS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, APRIL 11, 2006, rejecting the following claims 1-39.
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

07/12/2006 TL0111 00000048 082025 09757764
01 FC:1401 500.00 DA

() The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. ~~Do not charge any fees to this account.~~

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number, (571) 273-8300 on JULY 11, 2006

Number of pages: 1

Typed Name: Eileen Lehmann

Signature: Eileen Lehmann

Respectfully submitted,

DANIEL J SCALES

By Eileen Lehmann

Eileen Lehmann

Attorney/Agent for Applicant(s)

Reg. No. 39272

Date: JULY 11, 2006

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